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May 21, 2020


**VIA ELECTRONIC CASE FILING**

Honorable Lewis J. Liman, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 11201

The Clerk of Court is respectfully directed to terminate Plaintiffs' motion for sanctions (Dkt. No. 31). The conference set for May 22, 2020 is CANCELLED. Should parties request a reference to a magistrate judge for settlement, they may so inform the court via letter filed electronically on ECF.

Re: ***Trs. of the NYC Dist. Council of Carpenters Pension Fund, et al.***  
**v. NYC Flooring L.L.C., et al.; Civil Action No.: 19 CV 6441 (LJL)**

5/21/2020



LEWIS J. LIMAN  
United States District Judge

Dear Judge Liman:

This firm represents Plaintiffs in the above-referenced matter. Plaintiffs write jointly with Defendants to inform the Court that the parties have resolved their discovery disputes identified in Plaintiffs' motion for sanctions under Rule 37, (ECF Doc. No. 31). As a result of the parties' conferral on May 21, 2020, per the Court's May 15, 2020 Order, Defendants have agreed to produce to Plaintiffs the documents identified in the attached schedule, (*see* Exhibit A), and their responses to Plaintiffs' interrogatories by May 29, 2020. Accordingly, Plaintiffs, hereby, withdraw their motion for sanctions against Defendants and their counsel, (ECF Doc. No. 31), *without prejudice*, reserving their right to renew said motion if Defendants fail to provide the discovery responses identified in Exhibit A and their responses to Plaintiffs' interrogatories by May 29, 2020.

Defendants respectfully request that the Court maintain the conference scheduled for May 22, 2020 at 11:30 a.m. to discuss settlement with the parties. Plaintiffs do not wish to discuss settlement with the Court.

The parties thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/ John M. Harras

John M. Harras

cc: Counsel of Record (via ECF)

***Trs. of the NYC Dist. Council of Carpenters Pension Fund, et al. v. NYC Flooring L.L.C., et al.***  
**Civil Action No.: 19 CV 6441 (LJL)**

**SCHEDULE OF DOCUMENTS**  
**TO BE PRODUCED BY DEFENDANTS**

During the parties meet and confer on May 21, 2020, Defendants agreed to produce the following documents to Plaintiffs for the period of January 1, 2014 through the present on or before May 29, 2020:

- Defendant NYC Flooring L.L.C. (“NYC Flooring”):
  - All contracts and subcontracts entered into by NYC Flooring, or purchase orders received by NYC Flooring, by which it agreed to perform repair, maintenance, installation, or similar work in connection with installing or renovating of rugs, carpets, draperies, wood flooring, and the like (“Flooring Work”).
  - All solicitations and/or bids submitted by NYC Flooring in connection with any Flooring Work.
  - All invoices issued by NYC Flooring to its customers for its performance of Flooring Work.
  - All documents concerning Flooring Work performed by employees or former employees of NYC Flooring, including time sheets, sign-in sheets, sign-out sheets, construction logs, construction progress reports, and any internal spreadsheets or documents concerning NYC Flooring’s manpower on projects concerning Flooring Work.
  - All communication between NYC Flooring and its customers, concerning NYC Flooring’s performance of Flooring Work on NYC Flooring’s projects.
  - All documents which refer to, relate to, or reflect the titles to, or the acquisition of, any equipment used by NYC Flooring in the performance of Flooring Work
  - All documents that refer to, relate to, or reflect the titles to or the lease of any vehicles used by NYC Flooring, including, titles, and insurance policies
  - All Documents that refer to, relate to, or reflect the titles to or the lease of any office space, warehouse space, and any other real property used by NYC Flooring, including without limitation deeds, titles, and lease agreements

- All Documents which concerning insurance for NYC Flooring and/or its employees including workers' compensation policies, premiums, and claims; insurance premiums, policies, and claims; and unemployment insurance premiums, policies, and claims.
- NYC Flooring's filed federal and state tax returns and all attachments for the years of 2014 through 2017 and 2019.
- NYC Flooring's employees' W-2s and W-3s.
- Documents concerning NYC Flooring's work at 55 Hudson Yards, New York, NY.
- Defendant KNF Renovations LLC ("KNF"):
  - All documents relating to the formation and/or incorporation of KNF, including, but not limited to, articles of incorporation and the certificate of incorporation.
  - All communications between KNF and NYC Flooring, including without limitation communications between their respective agents, officers, managers, owners, and/or employees, concerning Flooring Work or other business operations of KNF or NYC Flooring.
  - All contracts and subcontracts entered into by KNF, or purchase orders received by KNF, by which it agreed to perform Flooring Work.
  - All solicitations and/or bids submitted by KNF in connection with any Flooring Work.
  - All invoices issued by KNF to its customers for its performance of Flooring Work.
  - All documents concerning Flooring Work performed by employees or former employees of KNF, including time sheets, sign-in sheets, sign-out sheets, construction logs, construction progress reports, and any internal spreadsheets or documents concerning KNF's manpower on projects concerning Flooring Work.
  - All communication between KNF and its customers, concerning KNF's performance of Flooring Work.
  - Documents concerning personnel records for all of KNF's employees, including but not limited to job applications, W-4 Forms, and documents concerning job duties or job title.

- All documents which refer to, relate to, or reflect the titles to, or the lease of any vehicles used by KNF, including, titles, and insurance policies.
- All documents which concerning insurance for KNF and/or its employees including workers' compensation policies, premiums, and claims; insurance premiums, policies, and claims; and unemployment insurance premiums, policies, and claims.
- All documents concerning loans made to or by KNF, including but not limited to checks for payment, receipts, agreements, memoranda, notes, mortgages, security agreements, and UCC filings.
- KNF's general ledgers.
- KNF's employees' W-2s and W-3s.